



**RESOLUTION OF THE GOVERNING BODY OF THE
THREE AFFILIATED TRIBES OF THE
FORT BERTHOLD INDIAN RESERVATION**

A Resolution Entitled, “Authorizing the Section 17 Corporation to Utilize Temporary Waterlines within Existing Federal and North Dakota Highway Rights of Way within the Fort Berthold Indian Reservation”

- WHEREAS,** The Mandan Hidatsa and Arikara Nation (“MHA Nation” or “Tribes”) having accepted the Indian Reorganization Act of June 18, 1934 (“IRA”), and the authority under said Act and having adopted a Constitution and By-Laws pursuant to said Act; and
- WHEREAS,** The Constitution of the MHA Nation generally authorizes and empowers the Tribal Business Council to engage in activities on behalf of and in the interest of the welfare and benefit of the Tribes and of the enrolled members thereof; and
- WHEREAS,** Article III, Section 1 of the Constitution of the MHA Nation provides that the Tribal Business Council is the governing body of the Tribes; and
- WHEREAS,** The MHA Nation's Section 17 Corporation was established pursuant to federal law, 25 U.S.C. § 477, in order to allow the Section 17 Corporation to operate as a separate business arm of the MHA Nation; and
- WHEREAS,** Pursuant to Resolution No. 12-049 the Tribal Business Council authorized the Section 17 Corporation to purchase excess water from the Fort Berthold Rural Water system and market and sell such excess water for commercial, industrial and other lawful purposes; and
- WHEREAS,** The Section 17 Corporation desires to utilize temporary water lines to deliver its industrial water to oil and gas producers on the Reservation in order to reduce truck traffic on Reservation roads; and
- WHEREAS,** Due to the fractionation of allotted trust lands and other reasons, the Section 17 Corporation has been unable to timely obtain right of way consents to allow the Corporation to install temporary water lines to meet producer demand, and has therefore applied for a temporary use permit to allow it to the install temporary water lines within North Dakota Highway rights-of-way on the Reservation; and
- WHEREAS,** The Tribal Business Council finds it in the best interest of the MHA Nation to have its Section 17 Corporation include the use of temporary water lines in its marketing project and locate such lines within existing Highway rights-of-way within the boundaries of the Fort Berthold Indian Reservation; and



WHEREAS, Said water lines provide a service to the public and will not adversely affect highway safety, construction, maintenance, or operations, and in fact will help reduce truck traffic on Reservation roads including North Dakota highways within Reservation boundaries; and

NOW THEREFORE BE IT RESOLVED, That the Tribal Business Council authorizes and directs its Section 17 Corporation to include the use of temporary water lines in its water marketing project within North Dakota and Federal Highway rights-of-way on the Reservation.

BE IF FURTHER RESOLVED, That the Tribal Business Council formally requests that the North Dakota Department of Transportation cooperate with the MHA Nation and its Section 17 Corporation to the fullest extent of its authority to allow for the permitting and locating of water lines within its existing highway rights of ways located within the exterior boundaries of the Fort Berthold Indian Reservation.

BE IF FURTHER RESOLVED, That the Tribal Business Council formally requests that the BIA cooperate with the MHA Nation and its Section 17 Corporation to the fullest extent possible to allow for the permitting and locating of waterlines within existing BIA road rights-of-way within the exterior boundaries of the Fort Berthold Indian Reservation

BE IT FURTHER RESOLVED, The Tribal Chairman is hereby authorized to take such action as is necessary to carry out the terms and intent of this Resolution.

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CERTIFICATION

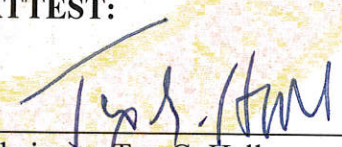
I, the undersigned, as Secretary of the Tribal Business Council of the Three Affiliated Tribes of the Fort Berthold Indian Reservation hereby certify that the Tribal Business Council is composed of seven (7) members of whom five (5) constitute a quorum, 7 were present at a Regular Meeting thereof duly called, noticed, convened and held on the 27th day of March, 2014, that the foregoing Resolution was duly adopted at such meeting by the affirmative vote of 7 members, 0 members opposed, 0 members abstained, 0 members not voting, and that said Resolution has not been rescinded or amended in any way.

Chairman Voting. Not Voting.

Dated this 27th day of March, 2014.



Executive Secretary V. Judy Brugh
Tribal Business Council
Three Affiliated Tribes

ATTEST:


Chairman Tex G. Hall
Tribal Business Council
Three Affiliated Tribes